

Docket No.: 04654/1200494-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Balasubramanian Gopalan et al.

Application No.: 10/821,642

Filed: April 9, 2004

For: NOVEL HETEROCYCLIC COMPOUNDS
USEFUL FOR THE TREATMENT OF
INFLAMMATORY AND ALLERGIC
DISORDERS: PROCESS FOR THEIR
PREPARATION AND PHARMACEUTICAL
COMPOSITIONS CONTAINING THEM

Confirmation No.: 9007

Art Unit: 1626

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

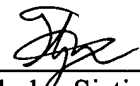
Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed August 26, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), and Part 2 Copy of Notice.

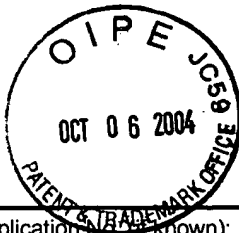
Our check in the amount of ~~\$2,522.00~~ ^{\$2,550.00} covering the fee set forth in 37 CFR 1.16(e) and the filing fee for the subject application is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: October 6, 2004

Respectfully submitted,

By  ^{FLYNN BARANSON}
(53,970)
Nicholas Sisti

Registration No.: 54,453
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
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Attorneys/Agents For Applicant



Application No. (if known): 10/821,642

Attorney Docket No.: 04654/1200494-US1

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. 2367699154-US in an envelope addressed to:

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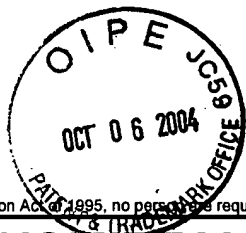
on October 6, 2004
Date

Signature

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Combined Declaration and Power of Attorney (4pp);
Part 2 Copy of Notice;
Response to Notice to File Missing Parts of Application (2pp);
Fee Transmittal (1pp); ~~\$2550~~
Check in the amount of ~~\$2,522.00~~; and
Return receipt postcard.



PTO/SB/17 (10-04)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person shall be required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005 <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/821,642-Conf. #9007
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	April 9, 2004
2,552.00		First Named Inventor	Balasubramanian Gopalan
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	04654/1200494-US1
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input type="checkbox"/> Deposit Account: Deposit Account Number: 04-0100 Deposit Account Name: Darby & Darby P.C.		Large Entity Small Entity	
The Director is authorized to: (check all that apply)		Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid	
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath	
<input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification	
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for ex parte reexamination	
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
Fee Code (\$) Fee Code (\$) Fee Description Fee Paid		1251 110 2251 55 Extension for reply within first month	
1001 790 2001 395 Utility filing fee 790.00		1252 430 2252 215 Extension for reply within second month	
1002 350 2002 175 Design filing fee		1253 980 2253 490 Extension for reply within third month	
1003 550 2003 275 Plant filing fee		1254 1,530 2254 765 Extension for reply within fourth month	
1004 790 2004 395 Reissue filing fee		1255 2,080 2255 1,040 Extension for reply within fifth month	
1005 160 2005 80 Provisional filing fee		1401 340 2401 170 Notice of Appeal	
SUBTOTAL (1) (\$) 790.00		1402 340 2402 170 Filing a brief in support of an appeal	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1403 300 2403 150 Request for oral hearing	
Total Claims 91 -20 = 71 x 18.00 = 1,278.00		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Independent Claims 7 -3 = 4 x 88.00 = 352		1452 110 2452 55 Petition to revive - unavoidable	
Multiple Dependent		1453 1,370 2453 685 Petition to revive - unintentional	
Large Entity Small Entity		1501 1,370 2501 685 Utility issue fee (or reissue)	
Fee Code (\$) Fee Code (\$) Fee Description Fee Paid		1502 490 2502 245 Design issue fee	
1202 18 2202 9 Claims in excess of 20		1503 660 2503 330 Plant issue fee	
1201 88 2201 44 Independent claims in excess of 3		1460 130 1460 130 Petitions to the Commissioner	
1203 300 2203 150 Multiple dependent claim, if not paid		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
1204 88 2204 44 ** Reissue independent claims over original patent		1806 180 1806 180 Submission of Information Disclosure Stmt	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
SUBTOTAL (2) (\$) 630		1809 790 2809 395 Filing a submission after final rejection (37 CFR 1.129(a))	
**or number previously paid, if greater; For Reissues, see above		1810 790 2810 395 For each additional invention to be examined (37CFR 1.129(b))	
		1801 790 2801 395 Request for Continued Examination (RCE)	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) 1617 (PCT) Oath or dec after 20 or 30 mos. from priority date 130.00	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 130.00	
SUBMITTED BY		(Complete if applicable)	
Name (Print/Type) Nicholas Sisti		Registration No. (Attorney/Agent) 54,453	
Signature [Signature]		Telephone (212) 527-7700	
		Date October 6, 2004	

Express Mail Label No.	Dated: _____
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IFW \$

10-07-04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,642	04/09/2004	Balasubramanian Gopalan	04654/1200494-US1

CONFIRMATION NO. 9007

07278
 DARBY & DARBY P.C.
 P. O. BOX 5257
 NEW YORK, NY 10150-5257

FORMALITIES LETTER



OC000000013640674

Date Mailed: 08/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1622 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

10/12/2004 CCHAU1 00000040 10821642

Total additional fee(s) required for this application is \$2522 for a Large Entity

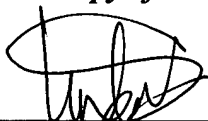
01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1201	352.00 OP
04 FC:1202	1278.00 OP

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1622**
 - **\$344** for **4** independent claims over 3.
 - **\$1278** for **71** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "W. J. [unclear]", is written over a horizontal line.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE